

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON JUDICIARY

Call to Order: Chair Keith Regier, on January 31, 2017 at 9:00 AM, in Room 303 Capitol

ROLL CALL

Members Present:

Sen. Keith Regier, Chair (R)
Sen. Jennifer Fielder, Vice Chair (R)
Sen. Jen Gross (D)
Sen. Steve Hinebaugh (R)
Sen. Jedediah Hinkle (R)
Sen. Margaret (Margie) MacDonald (D)
Sen. Diane Sands (D)
Sen. Nels Swandal (R)
Sen. Chas Vincent (R)

Members Excused: Sen. Scott Sales (R)

Members Absent: None

Staff Present: Julianne Burkhardt, Legislative Branch
Pam Schindler, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 144, 1/24/2017; HB 45, 1/26/17; HB 89 1/27/17
Executive Action: SB 97-Do Pass As Amended, SB 117-Do Pass

00:00:36 Chairman Regier

HEARING ON SB 144

Opening Statement by Sponsor:

00:01:05 Sen. Roger Webb (R), SD 23, opened the hearing on SB 144, Generally revise landlord tenant laws to allow voluntary electronic notification.

Proponents' Testimony:

00:02:29 Taylor Oldroyd, Montana Association of Realtors

00:03:45 Travis Martinez, realtor; property manager; member, Hamilton City Council

00:06:34 Joe Mueller, real estate broker; property manager

Opponents' Testimony:

None

Informational Testimony:

None

Questions from Committee Members and Responses:

00:07:59 Sen. Gross

00:08:13 Sen. Webb

00:08:49 Chairman Regier

00:09:31 Sen. Webb

00:09:42 Sen. MacDonald

00:10:36 Sen. Webb

Closing by Sponsor:

00:11:16 Sen. Webb

HEARING ON HB 45

Opening Statement by Sponsor:

00:12:30 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 45, Generally revise state medical examiner laws.

Proponents' Testimony:

00:15:26 Phil Kinsey, physician, Forensic Sciences Division, Department of Justice (DOJ)

Opponents' Testimony:

00:16:11 Gary Dale, physician, formerly with Forensic Sciences Division, Department of Justice (DOJ)

[EXHIBIT\(jus22a01\)](#)

Informational Testimony:

None

Questions from Committee Members and Responses:

00:24:52 Sen. Swandal
00:25:26 Mr. Kinsey, DOJ
00:26:49 Chairman Regier
00:27:01 Mr. Kinsey
00:27:52 Chairman Regier
00:27:59 Mr. Dale, DOJ
00:28:28 Sen. MacDonald
00:28:52 Mr. Kinsey
00:29:38 Sen. MacDonald
00:29:49 Rep. Dudik
00:30:23 Sen. Fielder
00:30:39 Rep. Dudik

Closing by Sponsor:

00:33:37 Rep. Dudik

HEARING ON HB 89

Opening Statement by Sponsor:

00:34:31 Rep. Kimberly Dudik (D), HD 94, opened the hearing on HB 89, Establish holistic defense pilot project within state public defender system.

[EXHIBIT\(jus22a02\)](#)

Proponents' Testimony:

00:40:12 Robin Turner, Montana Coalition Against Domestic and Sexual Violence
00:41:03 Beth Brenneman, Disability Rights Montana

Opponents' Testimony:

None

Informational Testimony:

00:41:36 Bill Hooks, chief public defender, Office of Public Defender

Questions from Committee Members and Responses:

00:41:58 Sen. Sands

00:42:20 Rep. Dudik

[EXHIBIT\(jus22a03\)](#)

Closing by Sponsor:

00:45:22 Rep. Dudik

00:46:06 Chairman Regier

Sen. Sales entered the hearing room.

EXECUTIVE ACTION ON SB 97

00:47:24 **Motion:** Sen. Fielder moved that **SB 97 DO PASS.**

Discussion:

00:47:39 Chairman Regier

00:52:19 Sen. MacDonald

00:54:57 Sen. Fielder

00:59:43 Sen. Vincent

01:02:23 Sen. Sands

01:05:08 Sen. Hinkle

01:05:30 Sen. MacDonald

01:06:18 Sen. Hinkle

01:08:06 Sen. Sands

01:09:26 Chairman Regier

01:13:08 Sen. Fielder

01:14:22 Julianne Burkhardt, Legislative Services Division

01:14:48 **Motion/Vote:** Sen. Fielder moved that **SB 97 BE AMENDED ON PAGE 3, LINE 9, AFTER ADJUDICATING, REMOVE COMMA (,).** Motion carried unanimously by voice vote.

01:15:19 **Motion:** Sen. Fielder moved that **SB 97 DO PASS AS AMENDED.**

Discussion:

01:15:25 Sen. Gross

01:16:26 **Vote:** Motion carried 7-3 by roll call vote with Sen. Gross, Sen. MacDonald and Sen. Sands voting no.

EXECUTIVE ACTION ON SB 117

01:16:41 **Motion:** Sen. Fielder moved that **SB 117 DO PASS.**

Discussion:

01:17:05 Sen. Sands
01:19:27 Sen. Gross
01:19:48 Julianne Burkhardt, Legislative Services Division
01:20:04 Sen. Gross
01:21:07 Sen. Swandal
01:22:47 Sen. Sands
01:23:15 Sen. Swandal
01:24:18 Sen. Vincent

01:25:23 **Vote:** Motion carried 6-4 by roll call vote with Sen. Gross, Sen. MacDonald, Sen. Sands and Sen. Vincent voting no.

Discussion:

01:26:12 Sen. Sales
01:26:44 Sen. Sands
01:26:47 Sen. Swandal
01:26:52 Chairman Regier

ADJOURNMENT

Adjournment: 10:28 A.M.

Pam Schindler, Secretary

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Additional Documents:

EXHIBIT([jus22aad.pdf](#))